

Department of Planning and Zoning

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TO: Planning Commission Ordinance Committee
FROM: Scott Gustin
DATE: December 3, 2015
RE: Off-Site Parking Amendment to CDO

The purpose of this amendment is to clarify the existing zoning provisions for off-site parking. Following discussion by the Planning Commission on November 10, the proposed amendment language has been modified to eliminate changes to maximum parking limitations. New language referring to the design review standards of Article 6 (i.e. for screening) has been inserted.

Review of offsite parking standards in other jurisdictions reveals one consistent theme: that the offsite parking be within a certain distance of the entity using the parking. The CDO standards as presently written contains such provision. Other themes include means of convenient pedestrian connection between the two sites, prohibiting commercial use of parking in residential zones, and some sort of agreement between the parties allowing for the parking arrangement.

On September 9, 2015, the Planning Commission Ordinance Committee forwarded this amendment to the full Commission without consensus. Differences of opinion centered on the provision to modify the maximum parking limitation so as to not restrict the number of spaces on the property providing the parking spaces for offsite use(s). That provision has been deleted from the revised amendment language below.

The Planning Commission considered this amendment at the request of the Ordinance Committee. The Commission supported the concept and recommended strengthening the upper limit on parking spaces and also providing language aimed at screening and landscaping. As noted above, the provision loosening the restrictions on maximum parking spaces has been deleted. New language has been added referencing the relevant design review standards of Article 6 for screening, landscaping, and location of parking. So as to avoid over complication and creation of de facto design standards outside of Article 6, new landscaping and screening requirements specific to off-site parking are not proposed.

Proposed CDO Language:

Sec. 8.1.12 Limitations, Location, Use of Facilities

(a) Off-Site parking facilities:

Except for single and two-family dwellings, required parking facilities may be located on another parcel of land. The off-site parking area shall be within the same zone as the use it serves or is in a zone that allows parking lots or parking garages as primary uses. Parking that serves any use located outside a residential zone shall not be located within a residential zone. Off-site parking spaces shall be subject to the site plan design standards of Article 6: Part 2. Off-site parking facilities shall be as follows:

1. Neighborhood Parking District: No more than 50% of the total required parking shall be provided at a distance greater than 600 feet from the use it is intended to serve. For residential uses, a minimum of 1 space per unit shall be provided on-site.
2. Downtown and Shared use Parking Districts: Any off-site parking shall be provided within 1,000 feet of the use it is intended to serve unless such parking is provided as part of a Parking Management Plan pursuant to Sec. 8.1.15 approved by the DRB.
3. The distance from the off-site parking to the associated use shall be measured in walking distance along a sidewalk or other pedestrian path separated from street traffic from the nearest parking space to the principle pedestrian entrance to the building housing the use. Such off-site parking shall not reduce the required parking for any other use utilizing the property on which it is located unless such shared use is approved by the development review board. The right to use the off-site parking must be guaranteed for the duration of the use as evidenced by a deed, lease, easement, or similar written instrument as may be approved by the City Attorney.

(b) Downtown Street Level Setback:

As written.

(c) Front Yard Parking Restricted:

As written.

(d) Shared Parking in Neighborhood Parking Districts:

As written.

(e) Single Story Structures in Shared Use Districts:

As written.

(f) Joint Use of Facilities:

As written.

(g) Availability of Facilities:

As written.

(h) Compact Car Parking:

As written.

Sec. 13.1.2 Definitions.

For the purpose of this ordinance certain terms and words are herein defined as follows:

Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, or defined otherwise in this section, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently adopted edition of the American Insurance Association's "National Building Code" and the National Fire Protection Association's "National Fire Code" shall prevail.

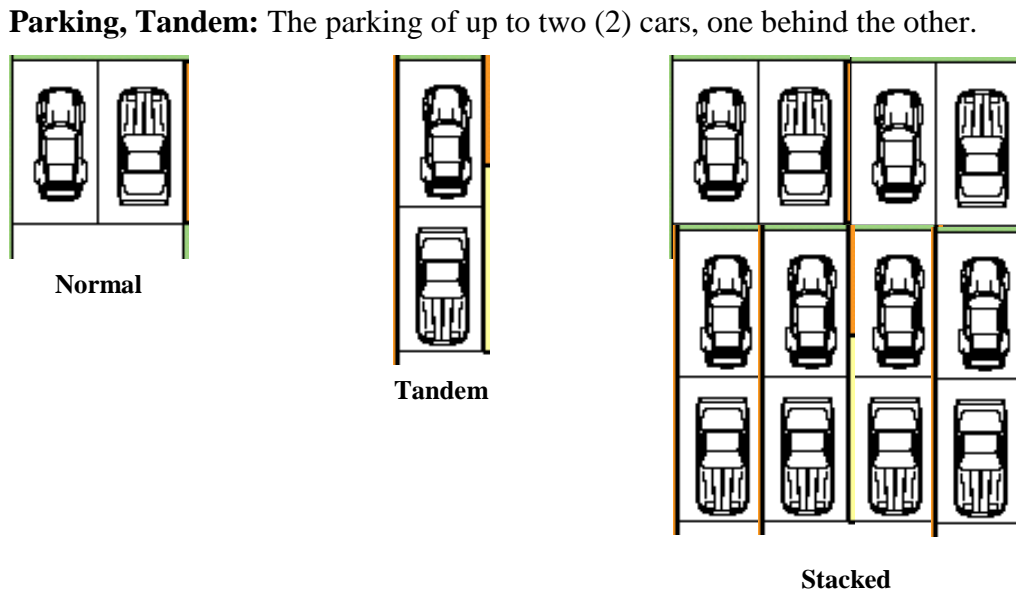
A-O, As written.

Park: Any area designated by the City as a park pursuant to Section 22-1 of the Code of Ordinances of the City of Burlington, Vermont.

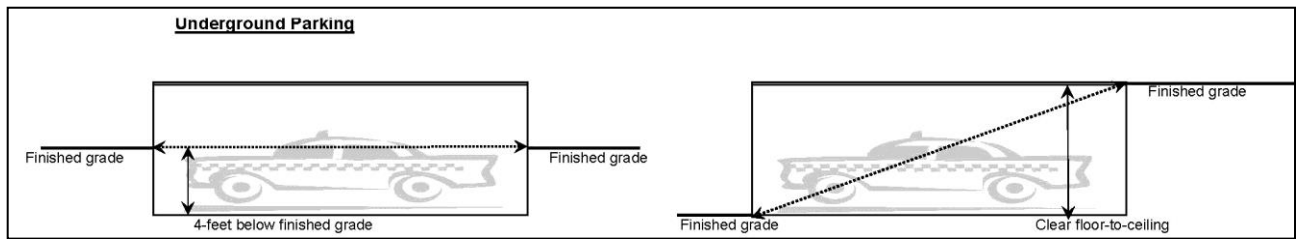
Parking Garage/Structure: A structure containing parking facilities, below or above grade.

Parking, Surface/Lot: Parking facilities that are at grade and uncovered or not within a structure.

Parking, Stacked: The parking of more than two (2) cars in a parallel line, one behind the other.



Parking, Underground: Parking spaces within a covered structure where either: fifty percent of the volume of the parking space is below the finished surface of the ground adjacent to the exterior walls of the building; or, the floor of the parking space is four (4) feet below the finished surface of the ground adjacent to the exterior walls of the building, whichever is greater.



Parking, Off-site: One or more parking spaces on one parcel of land providing parking spaces for a use on another parcel of land.

Continued as written.